

**STATEMENT OF BASIS AND PURPOSE AND STATEMENT OF EMERGENCY
FOR AMENDMENT OF THE DEPARTMENT OF PERSONNEL &
ADMINISTRATION, DIVISION OF CENTRAL SERVICES RULES**

1 CCR 103-1

The Executive Director's authority to adopt central services rules is provided by section 24-30-1105(1)(c) C.R.S (2003).

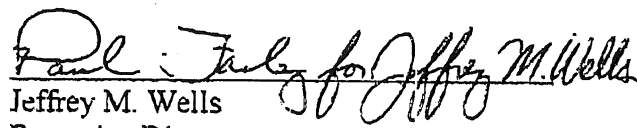
Section 24-30-1104(2), C.R.S. requires the Division of Central Services to establish and manage a central state motor vehicle fleet system. Among other things, the Division of Central Services was charged establishing and operating central facilities for the maintenance, repair, and storage of state-owned passenger motor vehicles, adopting uniform rules and regulations for motor vehicle acquisition, operation, maintenance, repair, and disposal standards. Until the passage of HB 04-1009, the executive branch of the State of Colorado, its departments, institutions, and agencies were required to use the State Fleet Management program.

House Bill 04-1009 provides authority for institutions of higher education to opt out of the state motor vehicle fleet program. Given the state fleet management allocation process, the Department of Personnel & Administration must determine all state agencies' and other higher education institutions' allocations at least six (6) months prior to the start of the fiscal year for which the budget and associated allocations are effective. In order to ensure an orderly process consistent with budgetary and appropriation requirements, while ensuring that the State will have sufficient funding for the State Fleet Management program, emergency rules are necessary to provide a specific process to carry out the legislative intent to enable institutions to opt out of the State Fleet Management program.

House Bill 04-1009 became effective on July 1, 2004. Pursuant to section 24-4-103(6), C.R.S. (2003), the Executive Director finds that immediate adoption of the rule is imperatively necessary to comply with House Bill 04-1009.

Pursuant to section 24-4-103(4)(b), C.R.S. (2003), the Executive Director also finds that: (1) there is a demonstrated need for the rule; (2) the proper statutory authority exists for the rule; (3) to the extent practicable, the rule is clearly and simply stated so that its meaning will be understood by any party required to comply with the rule; (4) the rules does not conflict with other provisions of law, and (5) any duplication or overlap of regulations has been explained by the agency.

Adopted on July 16, 2004, this rule shall be effective on July 16, 2004.


Jeffrey M. Wells
Executive Director